

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

HTC CORPORATION and HTC AMERICA,
INC.,

Plaintiffs,

v.

TELEFONAKTIEBOLAGET LM ERICSSON
and ERICSSON, INC.,

Defendants.

CASE NO. 2:17-cv-534-RSL

STIPULATED MOTION AND
~~PROPOSED~~ ORDER APPROVING
SECOND EXTENSION OF TIME TO
RESPOND TO COMPLAINT

NOTE ON MOTION CALENDAR:
July 5, 2017

STIPULATION

Plaintiffs HTC Corporation and HTC America, Inc. (together, HTC) and Defendants
Telefonaktiebolaget LM Ericsson and Ericsson Inc. (together, Ericsson) hereby stipulate as
follows:

WHEREAS, on April 6, 2017, HTC filed a complaint in this action, which alleges breach
of contract, breach of the covenant of good faith and fair dealing, and promissory estoppel (ECF
No. 1);

WHEREAS, on May 2, 2017, this Court granted the Parties' Stipulated Motion and
[Proposed] Order Approving Acceptance of Service of Summons and Extension of Time to
Respond to Complaint (ECF No. 19), allowing an extension of time to July 27, 2017, in order to
facilitate the Parties' resolution of service of process issues;

STIPULATED MOTION AND ~~PROPOSED~~ ORDER
APPROVING SECOND EXTENSION OF TIME TO
RESPOND TO COMPLAINT - 1
(CASE NO. 2:17-cv-534-RSL)

SUMMIT LAW GROUP PLLC
315 FIFTH AVENUE SOUTH, SUITE 1000
SEATTLE, WASHINGTON 98104-2682
Telephone: (206) 676-7000
Fax: (206) 676-7001

1 WHEREAS, since the Court's May 2, 2017 Order, the Parties have engaged in further
2 license negotiations in which a next meeting is being discussed to take place over the coming
3 weeks, and the Parties seek to undertake these negotiations without the expense and disruptive
4 impacts of active litigation.

5 NOW THEREFORE, the Parties agree, subject to the Court's approval, as follows:

- 6 1. Ericsson's deadline to move, answer, or otherwise respond to the Complaint is
7 extended to September 25, 2017.
- 8 2. By entering this stipulation, no Party is waiving any argument, right or defense,
9 except as to issues related to service of summons.

10 Dated: July 5, 2017

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

By s/ James C. Yoon (Per Email Authorization)

Gregory L. Watts, WSBA #43995
701 Fifth Avenue, Suite 5100
Seattle, WA 98104
Tel: (206) 883-2500
Email: gwatts@wsgr.com

James C. Yoon (*admitted pro hac vice*)
Dale R. Bish (*admitted pro hac vice*)
650 Page Mill Road
Palo Alto, CA 94304-1050
Tel: (650) 493-9300
Email: jyoon@wsgr.com
dbrish@wsgr.com

Olivia M. Kim (*admitted pro hac vice*)
633 W. Fifth Street, Suite 1550
Los Angeles, CA 90071
Tel: (232) 210-2900
Email: okim@wsgr.com

*Attorneys for Plaintiffs HTC Corporation and
HTC America, Inc.*

22 STIPULATED MOTION AND [PROPOSED] ORDER
23 APPROVING SECOND EXTENSION OF TIME TO
24 RESPOND TO COMPLAINT - 2
25 (CASE NO. 2:17-cv-534-RSL)
26

SUMMIT LAW GROUP PLLC
315 FIFTH AVENUE SOUTH, SUITE 1000
SEATTLE, WASHINGTON 98104-2682
Telephone: (206) 676-7000
Fax: (206) 676-7001

1 DATED: July 5, 2017

SUMMIT LAW GROUP PLLC

2 By s/ Philip S. McCune

3 Philip S. McCune, WSBA #21081
4 Steven O. Fortney, WSBA #44704
5 315 Fifth Avenue S., Suite 1000
6 Tel: (206) 676-7000
7 Email: *philm@summitlaw.com*
8 *stevef@summitlaw.com*

9 Laurie Fitzgerald (*pro hac vice pending*)
10 Steven J. Pollinger, WSBA #23075
11 McKOOL SMITH P.C.
12 300 W. 6th Street, Suite 1700
13 Austin, TX 78701
14 Tel: (512) 692-8700
15 Email: *lfitzgerald@mckoolsmith.com*
16 *spollinger@mckoolsmith.com*

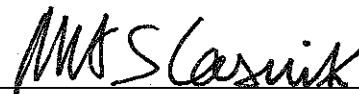
17 *Attorneys for Defendants Telefonaktiebolaget*
18 *LM Ericsson and Ericsson, Inc.*

19 **~~PROPOSED~~ ORDER**

20 GOOD CAUSE HAVING BEEN SHOWN, it is hereby ordered that:

- 21 1. Ericsson's deadline to move, answer, or otherwise respond to HTC's Complaint is
22 extended to September 25, 2017.
23 2. Nothing in this Order shall be construed as a waiver of any argument, right or
24 defense of any Party.

25 DATED this 6th day of July, 2017.

26 

THE HONORABLE ROBERTS S. LASNIK
UNITED STATES DISTRICT JUDGE

1 **Presented by:**

2 WILSON SONSINI GOODRICH & ROSATI
3 Professional Corporation

4 By s/ James C. Yoon (Per Email Authorization)

5 Gregory L. Watts, WSBA #43995
6 701 Fifth Avenue, Suite 5100
7 Seattle, WA 98104
8 Tel: (206) 883-2500
9 Email: gwatts@wsgr.com

10 James C. Yoon (*admitted pro hac vice*)
11 Dale R. Bish (*admitted pro hac vice*)
12 650 Page Mill Road
13 Palo Alto, CA 94304-1050
14 Tel: (650) 493-9300
15 Email: jyoon@wsgr.com
16 dbrish@wsgr.com

17 Olivia M. Kim (*admitted pro hac vice*)
18 633 W. Fifth Street, Suite 1550
19 Los Angeles, CA 90071
20 Tel: (232) 210-2900
21 Email: okim@wsgr.com

22 **Attorneys for Plaintiffs HTC Corporation and**
23 **HTC America, Inc.**

24 SUMMIT LAW GROUP PLLC

25 By s/ Philip S. McCune

26 Philip S. McCune, WSBA #21081
Steven O. Fortney, WSBA #44704
315 Fifth Avenue S., Suite 1000
Tel: (206) 676-7000
Email: philm@summitlaw.com
stevef@summitlaw.com

Laurie Fitzgerald (*pro hac vice pending*)
Steven J. Pollinger, WSBA #23075
McKOOL SMITH P.C.
300 W. 6th Street, Suite 1700
Austin, TX 78701
Tel: (512) 692-8700
Email: lfitzgerald@mckoolsmith.com
spollinger@mckoolsmith.com

Attorneys for Defendants Telefonaktiebolaget LM
Ericsson and Ericsson, Inc.

STIPULATED MOTION AND [PROPOSED] ORDER
APPROVING SECOND EXTENSION OF TIME TO
RESPOND TO COMPLAINT - 4
(CASE NO. 2:17-cv-534-RSL)

SUMMIT LAW GROUP PLLC
315 FIFTH AVENUE SOUTH, SUITE 1000
SEATTLE, WASHINGTON 98104-2682
Telephone: (206) 676-7000
Fax: (206) 676-7001